

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-7, 9-10, 12-15, 17, 19-26, 28-30, 39-47 and 49-66 are pending in the application. Claims 1, 9-10, 12, 19-20, 22, 28-29, 41 and 49-50 are amended; and Claims 8, 18, 27 and 48 are canceled without prejudice or disclaimer by the present amendment. Independent Claims 1, 12, 22 and 41 are amended to incorporate the features of now-canceled Claims 8, 18, 27 and 48, and Claims 9-10, 19-20, 28-29 and 49-50 are amended to depend from Claims 1, 12, 22 and 41 instead of now-canceled Claims 8, 18, 27 and 48. No new matter is presented.

In the Office Action, Claims 1-4, 8, 12-13, 18, 22-23, 27, 39-44 and 48 are rejected under 35 U.S.C. § 102(e) as anticipated by Wu (U.S. 6,442,570); Claims 5-7, 9-10, 14-15, 17, 19-21, 24-26, 28-30, 45-47, 49-50 and 63-66 are rejected under 35 U.S.C. § 103(a) as unpatentable over Wu in view of Takahashi (U.S. 6,931,531); and Claims 51-62 are rejected under 35 U.S.C. § 103(a) as unpatentable over Wu.

As an initial matter, Applicant appreciatively acknowledges the courtesy extended by Supervisory Patent Examiner (SPE) Tran and Examiner Chowdhury. During the interview, an overview of the invention was presented, and proposed claim amendments were discussed, which SPE Tran and Examiner Chowdhury indicated appeared to overcome the above-noted rejection based on Wu. More specifically, and as noted in the Interview Summary, SPE Tran and Examiner Chowdhury agreed that “It appears that Wu does not disclosed the claimed feature ‘controlling ... while recording other contents not yet recorded to the memory’ of claim 39 [and claim 40] and both ‘a network’ and ‘a direct local connection’ of the other independent claims [proposed amended claims 1, 12, 22 and 41].” The agreement reached during the interview is summarized in the remarks outlined below.

Applicants respectfully traverse the above-noted rejections, as independent Claims 1, 12, 22 and 39-41 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 41, for example, is amended to incorporate the features of now-canceled Claim 8 and recites a personal computer having a function to transfer a subset of a plurality of pieces of content data to a portable media player connected to the personal computer, the personal computer comprising:

a network interface configured to *receive the subset of the plurality of pieces of content data via a network*;

a recording unit configured to store the received subset of the plurality of pieces of content data to a storage medium;

a graphical user interface configured to receive an input selecting whether the personal computer *automatically transfers the subset of the plurality of pieces of content data* stored in said storage medium to the portable media player via a direct local connection for storage at the portable media player; and

a communications interface configured to *automatically transfer the subset of the plurality of pieces of content data* stored in the storage medium to the portable media player via a direct local connection without regard to a user input designating the subset of the plurality of pieces of content data when the input received at the graphical user interface is to automatically transfer the subset of the plurality of pieces of content data stored in said storage medium to the portable media player via the direct local connection for storage at the portable media player.

Independent Claims 1, 12 and, 22, while directed to alternative embodiments, are similarly amended. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1, 12, 22 and 41.

Turning to the applied reference, Wu describes a synchronization system that synchronizes database objects between a portable computer and a desktop computer. Col. 3, l. 60 – col. 4, l. 16 of Wu describes that the portable computer 100 includes a portable synchronization manager 104, which is responsible for coordinating synchronization of objects stored on the portable computer 100 with objects on a base computer 102. This

passage of Wu further describes that when one entry is created in a database of either device, this entry is duplicated to the other device during synchronization.

Wu, however, fails to teach or suggest that the database objects subject to his synchronization process are objects that are a subset of contents received at the desktop computer 102 via a network, as recited in amended independent Claim 41.

More particularly, in rejecting the features of now-canceled Claim 8, p. 7 of the Office Action relies on col. 5, ll. 46-62 of Wu. This cited portion of Wu describes that to allow communications between the base computer 102 and portable computer 100, the two computers are coupled to one another through a communication link 114.

This cited portion of Wu, therefore, merely describes the connection between the base computer 102 and the portable computer 100 via which synchronization is performed, and fails to disclose any network connection at the base computer 102, whatsoever, much less that any contents received at the base computer 102 over such a connection is synchronized with the portable computer 100.

Instead, and as characterized at the bottom of p. 2 of the Office Action, the database updates described in Wu are specific to applications 108 at the base computer 102. The Office Action points out that these applications may be word processing applications, spreadsheet applications, contact manager applications and game applications. Each of these applications function locally on the base computer, and any updates to a word processing application, for example, would be performed by a user of the base computer 102 and would not be a subset of data received at the base computer via a network, as recited in amended Claim 41.

Wu, therefore, fails to teach or suggest that his base computer 102 includes “a network interface configured to *receive the subset of the plurality of pieces of content data via a network* ... a graphical user interface configured to receive an input selecting whether

the personal computer *automatically transfers the subset of the plurality of pieces of content data* ... to the portable media player via a direct local connection ... and a communications interface configured to *automatically transfer the subset of the plurality of pieces of content data* ... to the portable media player via a direct local connection without regard to a user input ...”, as recited in amended independent Claim 41.

Accordingly, for at least the reasons discussed above, Applicant respectfully requests that the rejection of Claim 41 (and the claims that depend therefrom) under 35 U.S.C. § 102 be withdrawn. For substantially similar reasons, it is also submitted that independent Claims 1, 12 and 22 (and the claims that depend therefrom) patentably define over Wu.

The Office Action again fails to address the features of independent Claims 39 and 40 in the body of the rejection. In rejecting these claims, p. 8 of the Office Action asserts that these claims are rejected “for the same reason as discussed in the corresponding claim 1 above.” Claims 39 and 40, however, recite features, which are clearly distinct from those recited in independent Claim 1, and which are not disclosed by Wu.

Independent Claim 39, for example, recites an information processing method carried out in an personal computer having a function to transfer a plurality of pieces of contents to a portable media player via a direct local connection for storage at the portable media player connected to the personal computer, the method comprising:

recording the plurality of contents to a memory; and
controlling, each time at least one of the plurality of pieces of contents is recorded, transferring of the recorded plurality of pieces of content to the connected portable media player via the direct local connection for storage at the portable media player *while recording other contents not yet recorded to the memory*.

Independent Claim 40, while directed to an alternative embodiment, recites similar features.

As noted above, independent Claims 39 and 40 specify that the recorded content is transferred *while recording other contents not yet recorded to the memory*. Clearly, this

feature is not required by independent Claim 1, and Wu fails to teach or suggest such a feature.

At p. 4 the Office Action does appear to briefly discuss Claims 39 and 40. This portion of the Office Action, however, merely cites col. 5, ll. 46-61 of Wu, which, as noted above, merely describes that the base computer 102 and the portable computer are connected 100. At no point does Wu describe that the synchronization process between the devices is performed *while recording other contents not yet recorded to the memory* of the base computer 102, as required by independent Claims 39 and 40.

Accordingly, Applicants respectfully request that the rejection of Claims 39 and 40 under 35 U.S.C. § 102 be withdrawn.

Regarding the rejection of Claims 5-7, 9-10, 14-15, 17, 19-21, 24-26, 28-30, 45-47 and 49-66 under 35 U.S.C. § 103(a) as unpatentable over Wu, or unpatentable over Wu in view of Takahashi, each of these claims depend from one of independent Claims 1, 12, 22 and 41, and are believed to be patentable for at least the reasons discussed above. Moreover, Takahashi fails to remedy the above noted deficiencies of Wu.

Accordingly, Applicants respectfully request that the rejection of Claims 5-7, 9-10, 14-15, 17, 19-21, 24-26, 28-30, 45-47, 49-50 and 63-66 under 35 U.S.C. § 103 be withdrawn.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. § 1.116, which after Final Rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome outstanding rejection under 35 U.S.C. § 102, the present amendment places the application in better form for consideration on appeal. In addition, the present amendment is not believed to raise new issues because independent Claims 1, 12, 22 and 41 are merely amended to incorporate the limitations of already examined Claims 8, 18, 27 and 48. No new matter has been added, and this amendment does not raise new issues requiring further consideration

and/or search. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. §1.116.

Consequently, in view of the comments above, no further issues are believed to be outstanding in the present application, and the present application including Claims 1-7, 9-10, 12-15, 17, 19-26, 28-30, 39-47 and 49-66 is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

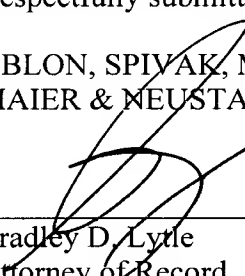
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Andrew T. Harry
Registration No. 56,959